

# SENATE BILL REPORT

## ESB 6769

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As Passed Senate, February 13, 2002

**Title:** An act relating to shepherd housing.

**Brief Description:** Concerning shepherd housing.

**Sponsors:** Senators Honeyford, Prentice, Rasmussen and Hochstatter.

**Brief History:**

**Committee Activity:** Labor, Commerce & Financial Institutions: 2/5/02 [DP].  
Passed Senate: 2/13/02, 44-0.

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### SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

**Majority Report:** Do pass.

Signed by Senators Prentice, Chair; Keiser, Vice Chair; Fairley, Franklin, Gardner, Hochstatter, Honeyford, Rasmussen, Regala, West and Winsley.

**Staff:** Elizabeth Mitchell (786-7430)

**Background:** The Washington Industrial Safety and Health Act (WISHA) oversees worker housing when that housing is provided as a condition of employment. WISHA issued a directive in November 2001 clarifying its policies regarding shepherd housing. This directive included an acknowledgment that it may not be "feasible" to provide electricity and running water in shepherd labor camps due to their migratory nature. There is concern that, despite this directive, implementation of the WISHA standards is still impractical for shepherders.

**Summary of Bill:** Mobile range shepherders are exempt from the definition of "agricultural employee" with regard to farm worker housing, and as a result are not covered under WISHA farm worker housing rules. The Department of Labor and Industries must not enforce housing standards exceeding minimum U.S. Department of Labor standards for this group of workers.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** There are twelve shepherders in the state, and the department's regulations are too elaborate for this small group of workers. Shepherders may not require the same type of housing or amenities as other workers.

**Testimony Against:** The bill is unclear regarding department enforcement responsibilities.

**Testified:** Chris Cheney, WA Growers League (pro); Carol Martinez, S. Martinez Livestock (pro).